

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

COMPLAINT OF CHRISTOPHER S. SEARCY

Docket No. C2021-2

**REPORT OF THE UNITED STATES POSTAL SERVICE
IN RESPONSE TO ORDER NO. 5954
(October 5, 2021)**

In accordance with Rule 3023.11(a) of the Postal Regulatory Commission's Rules of Practice (39 C.F.R. §§ 3023.11(a)) and Order No. 5954 (August 9, 2021), the United States Postal Service respectfully reports as follows:

1. On August 5, 2021, Christopher S. Searcy ("Complainant"), filed his Complaint against the Postal Service pursuant to 39 U.S.C. § 3662(a) alleging that the Postal Service unlawfully suspended mail service to his front porch mailbox due to the risk to mail carriers posed by his unrestrained "large German Shepard-Great Pyrenees mixed breed dog" roaming his yard.

2. On August 9, 2021, the Commission *sua sponte* referred the Complaint to the rates and service inquiry procedures.

3. To attempt to resolve the issue of the unrestrained dog, the Postal Service repeatedly requested that Complainant relocate his mailbox to the curb or select post office box service. This request has been made in writing and in person, most recently on September 18, 2021, when Complaint's spouse visited the local Post Office, and again

in the attached letter of September 23, 2021 (attached hereto as Exhibit A and incorporated herein by reference).

4. The September 23, 2021, letter (Exhibit A hereto) referencing this docket was copied to the Commission.

5. As of the date of this Report, the Complainant has not responded to the Postal Service's September 23, 2021, letter, there has been no change with regard to the Complainant's dog, nor has Complainant moved his mailbox or changed his mode of delivery to a post office box.

WHEREFORE, the Postal Service reports that Complainant's mail delivery service remains suspended.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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October 5, 2021

EXHIBIT A



September 23, 2021

Christopher Searcy
[REDACTED]

RE: Postal Regulatory Commission Docket No. C2021-2 and PRC#8823

Dear Mr. Searcy:

This letter responds to your inquiry submitted to the Postal Regulatory Commission on August 5, 2021, and referred to the Kentucky-West Virginia District Office for reply.

I regret to hear of your disappointment with the United States Postal Service. You are a valued customer and one that we want to continue to serve daily.

As you indicate, the issue concerns the presence of an unretained dog on your property. The Danville Post Office has reached out to you multiple times in hopes of resolving this issue, yet the dog remained loose in the area during delivery hours. At the end of June, the Danville Postmaster, Diane Evans determined that your mail delivery would cease and the office began holding your mail.

The U.S Postal Service is charged with the responsibility of providing consistent and reliable mail service. As an employer, we are also dedicated to the well-being and safety of our employees. Dog bites to letter carriers result in unnecessary pain and inconvenience to our employees as well as enormous cost to the Postal Service. The annual estimated cost to the Postal Service of injuries caused by animals is over one million dollars. These costs are reflected in the cost of postage stamps, and they are costs which we must reduce. Homeowners can be sued for damages in animal attack cases, and our Law Department pursues an average of 3,000 to 4,000 such cases each year. To reduce the potential for injury to employees, the Kentucky-West Virginia District has a Dog Bite Prevention Program. As part of this policy, carriers are instructed not to enter yards or areas where one or more dogs are unrestrained, nor are they required to enter areas where they perceive their safety to be at risk. The Postal Service accordingly relies on pet owners to exercise proper restraints to control their pets.

Upon receiving this inquiry, I contacted the Danville Post Office and spoke with the Supervisor, Ms. Claressa Thompson. She stated there have been ongoing issues with a dog at your residence. I further understand that the lack of dog's restraint has caused the letter carrier to be unable to make delivery to you or your neighbors. In June, there were multiple days when the letter carrier was unable to deliver your mail. When your wife visited the Danville Post Office to inquire about the mail, an altercation ensued requiring the intervention of law enforcement. In light of the safety situation at your residence, Postal Inspector Kyle Erhardt subsequently visited your residence and requested that your mailbox be relocated to the curb or that you select another method of delivery, such as receiving post office box service. As a courtesy to accommodate you on a temporary basis, the Danville Post Office has allowed you to retrieve your mail on a temporary basis via general delivery.

By letter dated July 29, 2021, the Postal Service advised you that you needed to take one of the proposed actions within 10 days. In the absence of action taken on your part, when your wife visited the post office on September 18, 2021, she was reminded that if actions were not taken by

September 28, 2021, the facility would no longer offer you the courtesy of retrieving mail via general delivery. This, in turn, would result in mail being returned to sender as undeliverable.


The U.S. Postal Service's process for undeliverable mail is to return it to sender. This regulation is published in the Postal Operations Manual, POM, Section 6, Delivery Services, Subsection 681 Mail Undeliverable as Addressed.

681 Mail Undeliverable as Addressed, 681.1 General Provisions

Non-delivery of mail occurs for any one of the following general reasons:

- a. Mail without postage.
- b. Incomplete, illegible, or incorrect address.
- c. Addressee not at address.
- d. Mail unclaimed.
- e. Mail refused by the addressee at time of delivery.
- f. Mail refused by the addressee after delivery when refusal authorized under [611.1](#).
- g. Mail not meeting minimum mailability criteria in [138](#).

We hope that this letter helps clarify the underlying rationale for serving your residence. We again invite you to consider the options we have offered to you, namely, relocating the mailbox to the designated location or rent a P.O. Box. These options will allow you to continue to receive service, and also ensure the safety of our carriers. We hope that you will find one of these alternatives acceptable. Thank you for your patronage.

Sincerely,

Christy Fey
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